

MINUTES

WARRICK COUNTY AREA PLAN COMMISSION

Regular meeting to be held in Commissioners Meeting Room,
Third Floor, Historic Court House,
Boonville, IN
Monday, July 8, 2019, 6:00 PM

PLEDGE OF ALLEGIANCE: A moment of silence was held followed by the Pledge of Allegiance.

MEMBERS PRESENT: Guy Gentry, President; Bill Byers, Amanda Mosiman, Jeff Valiant, Richard Reid, Bob Johnson, and Jeff Willis.

Also present were: Aaron Doll, Attorney; Sherri Rector, Executive Director; Molly Barnhill, Assistant Director; Amanda Key, staff.

MINUTES: Amanda Mosiman motioned to approve the minutes from last month's regular meeting on June 10, 2019 and Jeff Valiant seconded the motion. Motion was approved with all in favor except for one abstention from Bob Johnson.

The President read the Rules of Procedure.

PC-R-19-06: Petitioner: DGOGEIberfeldin041719 LLC by Rusty Doss, Project Manager. Owner: Greg-rand Inc. by Greg Silke, Pres. To rezone 1.77 acres located on the E side of St. John's Rd. 0' S of the intersection formed by St. Johns Rd. and Walnut Street from "R-2" Multiple Family Dwelling to "C-4" General Commercial with a Use and Development Commitment to limit the use to commercial retail in the Town of Elberfeld. *Complete legal on file. (Advertised in the Standard June 27, 2019.)*

Joe Russo stated his name for the recorded. He said he is Farnsworth Group in Pontiac, IL, here representing Rusty Doss, who is out on vacation this week. He stated he is here instead to represent this project.

The President said okay, let the record show the owners of the property are also present. He asked for a staff report.

Mrs. Rector said we do have all of the pay receipts from all the adjacent property owners except for one green card from Elberfeld First Baptist Church. She stated he should return those upon receipt. She said they all were sent within the 21 day time period and with the correct addresses. She stated there is no minimum lot size for a "C-4" zoning and the Comprehensive Plan projects this area to be commercial. She said the existing land use is vacant. She stated the property adjacent to the east is zoned "R-1A" with single family dwellings and to the south and some of the properties to the west are zoned "R-1" and "A" with single family dwellings. She said there is a strip of "M-2" zoning along the railroad tracks adjacent to the west and "C-4" zoning to the north and west

with various small businesses. She stated it is in a zone “X” flood plain, which means it is not in the flood plain. She said their proposed access will be Walnut and Front St. and the County Engineer is reviewing their proposed entrance locations. She said they will have to obtain entrance permits and post surety for those before an Improvement Location Permit can be issued. She said he is working with the town for location and she believes that they have spoken.

Mr. Russo said yes, since the site review meeting they are looking at sliding that northern entrance to the east so it is a little bit further from the intersection.

Mrs. Rector said the stated used is commercial retail and it would be in compliance with “C-4” zoning. She stated they did meet with us in site review, as we just stated, and before any construction can begin on this property they have to submit drainage calculations to the County Surveyor. She stated drainage plans may be required, and would have to be approved by the Drainage Board. She added that will have to be worked out before we can issue any permits. Mr. Rector asked if they had filed those yet in the Surveyors office.

Mr. Russo stated they have not filed those yet; the plan is to go to the August 12th Drainage Board meeting.

Mrs. Rector said so if anybody has issues with drainage, they will need to attend that meeting in this room at 2:30 on August 12th.

The President stated August 12th would be the next meeting date.

Mrs. Rector said they are the Board that listens to drainage issues, not this Board.

Mr. Russo said at this time we don’t have our plans far enough along to do a detention calculation or sizing.

Mrs. Rector said they are asking for a waiver from the requirement to go to the first meeting of the next month’s Board meeting; they are requesting that this be forwarded to the Elberfeld Town Board at their July 16th meeting at 6:00 pm in the Town Hall. She said that will also have to be a ruling by this Board to forward it that quickly. She added the application is all in order.

The President asked if they had anything to add to the staff report.

Mr. Russo stated looking at the nine factors for the rezoning; they would need the rezoning to allow the development of the store in that area but there are adjacent commercially zoned lots and just development of the store within the town would really be a benefit and a convenience of a store that they could access right there rather than having to go down to other towns. He said he doesn’t know how close other stores may be but in his mind it would save trips to Evansville or Boonville. He said that is really all he had to add; the other points they have already touched on.

Mrs. Rector stated just so everyone understands, they did file the Use and Development Commitment limiting the use to commercial retail, so a retail store. She said if they for some

reason sell the property, or Dollar General decides not to build there, they can only use it for that. She said if somebody wanted to use it for some other use in the commercial zonings they would have to refile a petition and come back to this Board and they would all be noticed again.

Bob Johnson said say they don't use it and sell the land, they could go in and do another commercial store but that's it.

Mrs. Rector said yes.

The President asked for questions from the Board. Seeing none he asked for any remonstrators for or against the project to approach the podium.

Sheryl Coleman, residing at 75 E Walnut Street approached the podium. She said this property backs up to hers. She said Elberfeld has not been able to keep a grocery store or even a convenient store with groceries with milk, bread; they quit buying it there and still go to Evansville. She said there is Dollar General in Lynnville, 10 miles away, there is one in Haubstadt, and there is one out on 41. She said it's not that she doesn't want Elberfeld to have one, she can see the convenience of it, especially for the elderly, but she doesn't want it backed up to her property. She asked if it was their house would they want it. She said there is other property around, they used to have the laundry mat just outside of Elberfeld that is an empty lot right now. She said they have a hotel on Main Street that has been condemned, it needs to be torn down; it is a decent sized lot and they could do something there. She said even Dr. Like owns a property right there on Main Street where her grandmother's house used to be; it's vacant, there is nothing there and that would be a good place for it but not in a residential area and especially on St. John and Walnut. She said that is really busy through there already without adding more; talk about moving the entrance further east, again that is coming closer to her property. She said there are a lot of kids in the area that ride their bicycles down St. Johns Road and Walnut Street; along with people walking and jogging. She said she just doesn't see that it should be in that area at all, there has to be another alternative to that area. She said the three of us that back up to it, as far as housing, would have known the property was even up for sale we would have tried to buy it so something like this wouldn't happen, but we were not given that chance. She said that is her view on the matter.

The President asked if there were any other remonstrators for or against the project.

Tasa Martinez stated her name for the record. She said their property is going to back up to her property, and that will literally be her view from her kitchen; the Dollar General. She said right now she has beautiful trees in her backyard and an empty field. She said but now this is what she is going to have to look at every single day. She said she has children that go to school and ride up and down that street. She said a lot of the kids ride their bikes to school, because it is right down the street to get to the elementary school so there is a ton of children traffic going that way. She said she just doesn't see how it is a feasible place to put something like this. She stated it is a convenience, yes, but not a good area to have something like that when you have families that are

just right there. She stated she only bought the property five years ago because of the location and the fact that there was nothing there, an eyesore. She said that is all she has to say about it.

The President asked if there are any other remonstrators for or against the project. He said if the original petitioner would like to address any concerns to do so now, please.

Joe Russo said he really doesn't have a whole lot other than the sight lighting will be turned off at the end of each day. He said at the end of operating hours there will not be any errant lighting and there won't be any errant lighting even with the lights on. He said that is standard engineering practice; typically they are required in most municipalities now that any sight lighting be limited so it dissipates to nothing at the property line. He said they are working with the County to get the entrances in the best locations to make them as safe as possible. He said that is really all he can say to address some of the safety concerns. He stated he isn't sure if other properties were looked at, he just knows that this is the sight he is working with now.

Mrs. Rector said she would assume that they would do a feasibility study on a location and whether it would have business and be worth building in that area. She said they aren't just going to build and see.

Joe Russo said no, that is correct. He said they are confident that the store will be successful and it will be a definite benefit and convenience to the community.

The President said he knows this is just the zoning but because it was a P.U.D, you have your sight plan on here and you are showing a six foot fence along the property line.

Joe Russo said correct.

Amanda Mosiman said behind that six foot privacy fence is a green area. She asked if he knows what the plans are for that area.

Joe Russo said he doesn't have anything concrete at this time but typically they stick with sodding or seeding, depending on the location. He said they will use more sod adjacent to the road and seed the areas that are further away. He said they are open to more specific landscaping requirements than just he sod or grass, like shrubs or trees that can be incorporated. He said they could work with the County or Towns people to work together to find out some things they would like to see and incorporate them and make the view a little more comfortable for them. He stated at this time, he doesn't have specifics for what the plan will be.

Richard Reid asked if the residents would want some type of large landscaping back there to block the building.

Amanda Mosiman said there is a six foot privacy fence already on the plan.

Lowell Coleman stated his name for the record. He said what his concern is, what size building are they building; where is it going to be setting; and if Elberfeld has had notification to sign a

petition to see who wants it in town and who doesn't want it in town. He said there has been so many different things in Elberfeld that has never lasted and we all do our shopping in Evansville or Princeton, or even in Boonville where it is cheaper. He said he gets his gas in Evansville because it is ten to fifteen cents cheaper. He stated he doesn't even get gas in town but it would be nice to know what size building they are building and where it is going to be setting. He said it is probably going to happen anyway, no matter what they say, and what can they can do to hide it, basically.

Joe Russo said the preliminary site plan shows the building prototype size that is set in stone. He said it will be a 70' X 130' building, 9100 square feet. He stated right now, they roughly have it setting on a proposed lot..

Lowell Coleman said his property is over here so the back of the building will be facing his property...

Inaudible comments.

Mrs. Rector asked everyone to please speak one at a time.

Lowell Coleman said part of his concern is, is it even necessary to have a building that big in Elberfeld. He said he has been in several General Stores, he has a trash route in Evansville and services several of them, and he doesn't think the ones in Evansville are that big.

Joe Russo said they have used smaller prototypes, 7500 square feet, but that is the smallest.

Richard Reid asked what are the hours of operation.

Joe Russo said typically 8 a.m. to 10 p.m.

Richard Reid said that is kind of late for Elberfeld.

Lowell Coleman said he doesn't know how many square feet the old grocery store is but if you want to put a Dollar General store in, do it in the old grocery store. He asked if Jeff knows how many square feet that is.

Jeff Valiant said he has no idea that would be a question for...

Lowell Coleman said well he is just giving suggestions because he don't want it in his back yard.

Jeff Valiant said this is the first they are hearing about it and he doesn't know who all Dollar General went to looking at property. He said it's not like Mike would ever sell that place anyways.

Lowell Coleman said they didn't even know the place was for sale.

Jeff Valiant said the first he heard about it is when they were surveying a few weeks ago.

Lowell Coleman said that is how he found out because he asked the guy that was surveying, what is going on.

Jeff Valiant said that is neither here nor there.

Lowell Coleman said that is true.

The President asked if there are any other questions.

Cecil Bosse stated his name and address at 11433 Wheatonville Road for the record. He said he has lived there for 65 years and can remember when Elberfeld was quite the bustling place. He said he for one, would welcome any new store coming to town. He stated it has to be in someone's backyard and he didn't like it when the North Industrial Park was built in his. He said he doesn't like Pepsi Cola lights, but they are there and that is the same way he thinks the store will work. He said he appreciates it if the Board sees to it that it goes up there.

The President asked if there were any other remonstrators or questions from the Board members for the Petitioner.

Richard Reid asked if there would be alcohol sales.

Joe Russo said he would have to check on that because he isn't sure.

Inaudible comments.

Mrs. Rector said she doesn't think so..

The President said he doesn't remember seeing any alcohol in any Dollar General.

Mrs. Rector agreed.

Joe Russo said the only stores he has seen it in were in Arkansas and that is not any of the stores that he developed. He said it depends on the store requirements.

Sheryl Coleman said it is a possibility to get a liquor license, or a beer and wine license. She said she works taking care of people in their homes sometimes and she has been to Poseyville and they have a new Dollar General there. She said they have applied for their alcohol license, so it is a possibility.

The President said it is a separate step though.

Joe Russo said yes, they would have to be licensed.

The President asked if there were any more questions for the Board Members.

Jeff Valiant said Richard brought up the possible shrubs and trees. He asked if the Board wants to address that.

The President said this is the time to do that.

Mrs. Rector asked if they show it on their plans.

The President said it just says “green area” and he would need a magnifying glass to see, but he isn’t sure how much space that is between the fence...

Jeff Valiant said it is basically the width of the back of the building, is what he is seeing.

Joe Russo said they will have a ten foot set back...

The President said so it is probably just ten feet, and you couldn’t get too big of...

Jeff Valiant said the width of the building with the six foot privacy fence, you could still..

The President said well you couldn’t really put anything in between...

Jeff Willis asked if this is something the Town could add at their meeting, or does it have to be added here.

Mrs. Rector said yes, the Town can add it.

The President said yes.

Jeff Willis said that might be more appropriate for that location to give everyone time to figure out what might work there instead of guessing.

Mrs. Rector said she thinks that is a good idea.

Amanda Mosiman said her other concern, besides establishing some sort of plan for their green area, the Werkmeister’s and Martinez’s have some large nice asthetic landscaping trees right along that boarder. She said as we all know, construction can stress those, so ..

Jeff Valiant asked what would she suggest.

The President said it looks like they are leaving them.

Amanda Mosiman said they are leaving them but construction is never good.

Mrs. Rector said a fence probably wouldn’t harm them.

Amanda Mosiman said no, a fence isn’t going to harm anything.

Mrs. Rector said but if they start digging, trying to put in other trees and all that stuff could...

Amanda Mosiman said just construction in general.

Jeff Valiant said yes, that is more towards the street side.

The President said yes, but they are talking about moving that entrance closer to that.

Amanda Mosiman said yes, that is her concern.

Sheryl Coleman said the area they are talking about, those trees are on her side of the property line.

The President said yes.

Sheryl Coleman said she actually owns...

Amanda Mosiman said yes, and she is trying to make sure they stay healthy, that is her concern.

Sheryl Coleman said they are older trees so..

Amanda Mosiman said her concern is that construction can stress them and it's your landscaping. She said you will not see an effect right away so she doesn't want to get called in three years and have to diagnose that as the problem.

Sheryl Coleman said yes.

The President asked if there were any more questions from the Board Members.

The President said he would entertain a motion for the waiver. He said that would go to the next meeting which is July 16 at Elberfeld.

Mrs. Rector said next Tuesday.

The President said at 6 p.m. He asked if there was a motion.

Jeff Valiant said he would make a motion to that waiver.

Amanda Mosiman asked if they could get everything ready in that amount of time because that is quick.

Mrs. Rector said she knows it is quick and she doesn't like it being that quick, but they can get it done.

Joe Russo said they can defer it to the next meeting because he doesn't want to lean on that waiver. He said they don't have to go to the meeting next week but can go to the next meeting to give more time.

Mrs. Rector said yes, because she has to do a Certified Zoning Report to the Board before they can hear it. She said so it has to be certified, the minutes complete, and given to them to review. She stated she doesn't know if tomorrow they will be issuing twenty permits or one. She said she has no idea during this time of year how busy we'll be. She said she doesn't know how rushed he is

but he isn't going to the Drainage Board until August anyways. She asked what the August meeting date is.

The President said August 20.

Mrs. Rector said August 20 then and by that time you will have your drainage approved or denied. She said personally, she thinks that would work out better.

Jeff Valiant said that would work out better all the way around because that would give the Town plenty of time, depending on what happens here tonight, to review it as well.

Jeff Willis said we are good either way right, we just recommend.

Jeff Valiant said it is a recommendation.

Amanda Mosiman said yes, that is all they do is recommend to the Board.

The President said so they are not looking for a waiver then.

Mrs. Rector said no.

The President asked if he is okay with that.

Joe Russo said yes, sir.

The President said now we are just looking for a recommendation of this Board to the Town Of Elberfeld Board.

The President made a motion to recommend to the Town of Elberfeld approval of PC-R-19-06. The motion was seconded by Jeff Willis with several Board members opposing the motion. The President asked for a roll call.

Guy Gentry, aye; Amanda Mosiman, aye; Richard Reid, neigh; Bob Johnson, aye; Bill Byers, neigh; Jeff Valiant, abstain; Jeff Willis, aye.

Mrs. Rector said the motion is carried with a recommendation of approval.

The President said this will be heard again at the Town Board in Elberfeld at 6 p. m., August 20, 2019. He said it will also be heard again, in this building, for the drainage on August 12, 2019 at 2:30 p.m.

Lowell Coleman said he noticed everyone looking at a diagram or map. He asked if he could get a copy.

Mrs. Rector stated that anyone can come to the office and sets can be made. She stated the office is in room 201.

PC-R-19-07: Petitioner/Owner: Trustee of Ohio Twp, by Chad Bennett, Trustee. To rezone 3.366 acres located on the E side of Old Plank Rd. 0’N of the intersection formed by Old Plank Rd. and S.R. 261 from “A” Agricultural to “C-3” Highway Commercial in Ohio Twp. *Complete legal on file. (Advertised in the Standard June 27, 2019.)*

Chad Bennett, Ohio Township Trustee, approached the podium.

The President called for a staff report.

Mrs. Rector said we do have all the return receipts form all the adjacent property owners except INDOT. She said to please bring it in when it is received.

Chad Bennett said he got online and seen where they accepted it but never received a green pay receipt but when he does, he will bring it in.

Mrs. Rector said there is no minimum lot six for “C-4” zoning. She said the Comprehensive Plan projects this area to be moderate to high density residential and the existing land use is a volunteer fire department. She stated the surrounding zoning and land use is the adjacent properties to the north, south and west are zoned Agricultural and “R-1A” with single family dwellings and across SR 261 to the east are single family dwellings and a church which are zoned Agricultural with one small section of “R-O” Residential Office. She said the volunteer fire department has been at this location for years and has operated as pre-existing non- conforming to our zoning ordinance. She stated to enlarge or expand they must be in compliance with the zoning ordinance. She said it does specifically list these uses in the “C-3” zoning. She said there is no flood plain. She stated they have an existing entrance onto Fuquay Road and the stated use on the application is a Volunteer Fire Department and EMS Station which would be in compliance with the “C-3” zoning. She stated they are also requesting a waiver to go to the Commissioners meeting on July 22, 2019 in two weeks. She said the application is all in order.

The President asked if there is anything to add to the staff report.

Chad Bennett (holds the drawing that shows the layout of their existing property) said basically, everything that they’ve got now is going to stay the same, they just have to re-work some things. He said currently they have a storage building that sets behind the existing building now and they are going to move that into there. He said this is all a fenced in area right now from here to about right here. He said they are going to remove this fence in here to sit that building in off of the property line and fence the rest of the training ground in. He said so this new building would happen first, then they are going to utilize that building to temporarily house their firetrucks in while they work on this construction. He said basically this part of the building is going to remain and everything else is going to get tore off and rebuilt. He said the building has been added on five times over the years and when you drive by it looks like a decent building. He said but when you

actually get into it, it's not very functional for the size firetrucks that they have in today's generation firefighting equipment. He said none of the entrances are going to change on Old Plank Road and the parking lot is staying exactly the same, they are just moving this over and adding concrete.

The President asked if they will have a little bit more space or not.

Chad Bennett said yes, they will have more space and I will actually end up with the existing building staying and all the new building will have six truck bays. He said they are drive- thru bays and some people may look at them as three bays or six but you can double stack trucks. He said there will be housing capabilities for firefighters. He said right now they are a volunteer department but they are in a fast growing area and he isn't sure how long they will be able to continue it that way. He said this building will give them accommodations for that. He said the one thing they are doing in the existing building is retrofitting that and working with the County to move an EMS station there that would be stationed 24/7.

The President said that is what he was going to ask when he seen there was an ambulance in the first bay. He asked do they presently stay there now.

Chad Bennett said no, right now this is the ambulance that is at Alcoa and they've expressed the need to move that ambulance in a more densely populated area because the number of runs it's making from Alcoa to this way is non-stop all day long. He said by putting the ambulance there, it strategically places it where it should be. He said they are working with the EMS Director as well. He said what the Township is looking at doing is, they are going to make that space conducive to put that ambulance in and try and work with the Council on having a plan for utilities at that facility. He said it will serve a dual purpose and that is why they needed to go to "C-3" because of that ambulance. He said it is strategically placed in Ohio Township.

Amanda Mosiman said she is understanding that they are taking down and retrofitting. She asked what the additional square footage that they are going to receive through the new construction is.

Chad Bennett said he cannot answer what the total is.

Amanda Mosiman asked for a guestimate.

Chad Bennett said it is probably somewhere in the neighborhood of three to five thousand depending on whether the training room actually happens on the back side. He said full disclosure, they may not have solid glass doors on the overhead doors, although they look very nice. He said they are very expensive and energy inefficient so they may end up with something different. He said basically everything that is in that building now is currently there, it is just to a smaller scale and twisted around. He said it's not conducive to how the building should be.

Amanda Mosiman asked what is the training area and current fence about and are you going to build it the same way as you have the current one or are you going to upgrade it.

Chad Bennett said it is the same exact fence, they are just basically..

Amanda Mosiman said continuing it on around the corner..

Chad Bennett said continuing it on. He said when the fence was put up it went all the way down Plank Road and it went all the way across and stopped. He said they never did any of this before because it was Rolling Hills property. (Chad Bennett points to diagram) He said what he wants to do now, because they are taking this section out so that the building can sit there, is to remove that to finish this spot and go ahead and butt in the rest of the training ground, that way they have a way of securing it.

Amanda Mosiman asked what type of training they do in that area.

Chad Bennett said a lot of everything. He said they work with vehicles. He said there is an old Toyota Sienna van that they donate...

The President said there is an old school bus isn't there.

Chad Bennett said there is an old school bus in there. He said about anything the fire guys can get their hands on for training. He stated that is why he insisted before they did that, that they kind of make this to be a good neighbor thing. He said they have the fence that has the privacy slats in it so you can't see through it. He stated but what they have done here, you can see where there is concrete (Points to diagram) the eventual plan is to make a concrete square in there so that trucks can come in and you can do a staged training area where they are not on the side of a busy road. He said they are going to have a fire hydrant that is going to be placed in there so they can actually use it for simulation. He said right now they have burn chambers, which are basically cargo containers that the guys go in and light bales of hay and clean wood pallets and they build the temperature up in the room to go find the fire and put it out. He said it works for good training and it's not anything that generates a lot of smoke, but its clean smoke when it does. He said so they are trying to be good neighbors with all of this, but yet they are also going to offer this training facility when they eventually finish everything in there. He said it will be offered to every County Fire Department. He stated other fire departments outside of our township can utilize on something that they have done. He stated these are things that are hard to get good training facilities and there is not any one entity in our county that can do that, so we are happy to share.

The President asked if there were any questions from the Board Members.

Bill Byers asked how much additional space do you have outside the fence and do you still have room to grow.

Chad Bennett said the fenced area represents our property line. (Points to diagram)

Bill Byers asked if the other part is owned by Rolling Hills.

Chad Bennett said yes, Rolling Hills owns this (points to diagram) and he believes there is one house there and that is the only property that abuts up to us. (Points to diagram) He said this outline represents their whole six or whatever acres they own.

The President asked if there were any more questions from the Board Members.

Jeff Willis asked other than the potential ambulance, will there be any more loudness coming from the facility.

Chad Bennett said it will be the same number of fire runs happening whether it's this building or a new building, so every time that occurs there will be a siren leaving. He said if it is a code 3 medical run, they do make a few non-emergency runs, but there won't be any change in that.

The President asked if there were any more questions from the Board Members. He asked if there are any remonstrators for or against the project.

Jeff Willis asked why they have to have a C3 zoning for this.

Mrs. Rector said because it says so in the ordinance.

The President said for the ambulance..

Mrs. Rector said for the ambulance. She said she doesn't know what year that it was even built and it may not have even been listed as a use back then and then in 2005 it was put in that zoning classification. She said they are just coming into compliance with everything. She said they are still exempt from Improvement Location Permit's and everything but they do have to meet the zonings.

The President asked if there were any other questions from the Board Members. He said this one had a request for a waiver to go to the next meeting, so they would need to vote on that first.

Mrs. Rector said July 22nd, 2019 Commissioner's meeting.

Jeff Valiant made a motion to approve the request for a waiver and Amanda Mosiman seconded the motion.

The President said there is a motion and a second on the floor to request a waiver of our procedures to allow this to go to the Board of Commissioners on July 22, 2019 at 4 p.m. Ascertaining no further discussion, the motion carried unanimously.

The President said he would entertain a motion upon the request for rezoning.

Amanda Mosiman made a motion to give PC-R-19-07 a positive recommendation to the County Commissioners. The motion was seconded by Richard Reid and carried unanimously.

SUBDIVISION CONTROL ORDINANCE AMENDMENT: AN ORDINANCE TO AMEND ARTICLE III A PROCEDURES FOR SUBMISSION OF “MAJOR” SUBDIVISIONS SECTION 3 NOTICE OF PUBLIC HEARING (MAJOR SUBDIVISION) SUBSECTION 1(b) OF THE SUBDIVISION CONTROL ORDINANCE IN EFFECT FOR WARRICK COUNTY, INDIANA

The purpose of this ordinance is to change the ten (10) day notice of public hearing to twenty-one (21) days. (*Advertised in the Standard June 27, 2019.*)

Mrs. Rector stated basically we have been requiring the 21 day notice for years and then we just realized that it's changed on all of the applications, has been everywhere else except the Ordinance. She said we are changing it to go along with everything else. She stated the reason why we do the 21 days instead of the 10 days is because, as they all know the post office will hold them for at least 15 days for people to pick up, so when you come to the meeting and it's just 10 days nobody has any return receipts. She said so that is the reason we changed it to 21 days; to give people proper time to get noticed.

Amanda Mosiman made a motion to give the Ordinance amendment a positive recommendation.

The President asked if this would go to the Commissioners as well.

Mrs. Rector said yes.

Jeff Willis seconded the motion and it was unanimously carried.

OTHER BUSINESS:

Postal Deliveries: Requirement of postal approval prior to plat approval regarding new delivery guidelines. Continued from June 10, 2019.

The President asked how the meeting went as he was not able to attend.

Mrs. Rector said it went well. She said it was Morrie, herself, Dan Saylor, Jim Morley Jr., Danny Ubehlor, Bobby, and Steve. She said they worked out where you have a 50' right-of-way but 30' of it is pavement. She said where these cluster boxes are going to go, the Commissioners don't want these in the right-of-way where they'd have to maintain them, so say a box needs to go here, there will be a little 4' by 6' cutout of the right-of-way. She said it will be shown on the street plans. She said that was what everybody thought would be the best idea. She said Jim Morley Jr. has agreed to meet with her because she doesn't know the proper verbiage to use in street plan construction, she's not an engineer so he has agreed to meet with her and go over the Ordinance. She said she'd try to get Morrie with them too and she'd be presenting it to this Board.

The President said so the concept is a cutout at the back of that layout but not specifically the location that will be dependent on each project.

Mrs. Rector said that will be up to the project. She said we will not determine where they will go. She said they will have to meet with the Post Office and then they will have to show them on the street plans and the Post Office will have to agree with it.

The President said he knows Bobby and Steve were wanting pull-ins so that is no longer...it's just going to be at the back end.

Mrs. Rector said they could do either or. She said if the developer wants to put an outlot in they could, where people could come in and park and get out. She added that they just want to ensure that it is out of the right-of-way and over by the sidewalk.

The President said so there will be more to come when Morley meets with you.

Mrs. Rector said yes.

Jeff Valiant asked if she knew when that meeting will take place.

Mrs. Rector said no, she has to find out when everybody is available. She said he is busy a lot and then to try to get all of them at the same time is hard. She said she will find out tomorrow when he is available.

Amanda Mosiman said she has an interesting tidbit. She said she put this out to ask for draft and what other counties are doing through our extension and it went to every educator in 92 counties; crickets. She said she got more emails asking what she was talking about than actual ordinances and that has never happened. She said she has one colleague of hers who said it's not required so she had Sherri send her what the Post Office had sent and as far as she knows there is not another county that has this type of cluster boxes.

The President said well Vanderburgh does, so he guesses it's just them and Vanderburgh County.

Amanda Mosiman said that was her next point, the cities, the major cities, they don't have representation so she's talking about Terra Haute, Fort Wayne, Indy, and Vanderburgh. She said she does not have representation there.

The President said the regional guy was from Kentucky.

Amanda Mosiman said that is what she put that apparently they are behind the eight-ball, they are really getting pressured from the Federal Government to get this done and then crickets. She said there are not any other post offices pressuring right now.

Jeff Willis stated he said his drivers couldn't drive and they have more wrecks in his district, Warrick County, the drivers were wrecking their jeeps or whatever they drive, more than anywhere else.

Amanda Mosiman said well he can say that but she finds it interesting that there is not any other county being pressured to do this.

Mrs. Rector said okay, but here is the problem. She said the post office is not going to deliver mail in your subdivision unless they put these cluster boxes in period.

The President said in Warrick County apparently.

Mrs. Rector said well in that region that they say. She said so we are trying to make sure, for the county's sake they are not sitting and blocking where you pull out, in the right-of-ways, so basically what we are doing is trying to protect ourselves because they are going in. She said this is not an if or or; we are not approving whether they can put them in or not we are just looking at where they are going to go.

The President said well maybe. He said if they are not being pushed everywhere else, maybe when this guy gets fired and they hire somebody else they may not push so is there a way to word this that if we are forced to this, this is what we want but if...

Mrs. Rector said actually the guy has been replaced.

The President said yea he wouldn't return his phone calls like he said he was going to.

Amanda Mosiman said she doesn't mind Warrick County leading the way...

The President said he doesn't want to help because he'd just as assume go down to the end of his driveway and get his mail too.

Amanda Mosiman said yes, she just thought it was interesting.

The President said he doesn't want to be way ahead of the gun and now we are forcing or aiding to do something.

Mrs. Rector said now there are ordinances out there for this. She said even the Town Of Chandler has an ordinance that is dealing with this so there are ordinances.

Jeff Willis said but if you look at some places, if you have six mailboxes, the two neighbors here, the two neighbors across the street...

The President said that is what they had in Quail, their boxes were together; two residences.

Jeff Willis said so he has seen up to four and that looks okay and it cuts down their driving because they only have to go on one side of the street and can do four boxes at a time.

Mrs. Rector said Molly and Amanda remind her tomorrow to email that woman that took his place because she got the email while she was on vacation and she will ask her if they are following through with all of this and she'll copy them all on it.

Jeff Willis asked if it's the guy in Newburgh or Louisville.

Mrs. Rector said Louisville. She said he didn't even show up at their meeting that day it was just the Newburgh Post Master.

Amanda Mosiman said she can completely see the reason and the increase in efficiency that the postal service would have with these she just, her job is to give a full picture and she thought that was an interesting piece.

Mrs. Rector said that is all she has to report on it.

Discussion: Solar panel farm zoning classification. – Continued from June 10, 2019.

Mrs. Rector said continue it until December or she knows, continue it until April 30th of next year.

Amanda Mosiman said cut that out.

The President said do they need a motion on the postal discussion too or...

Mrs. Rector said can we vote to remove both of these from our agenda until we have something definitely put together.

Amanda Mosiman said she makes a motion that they table the postal delivery discussion and the solar panel discussion until the Plan Director deems fit for more discussion.

The motion was seconded by Jeff Valiant and unanimously carried.

ATTORNEY BUSINESS:

Attorney Aaron Doll said there is ongoing litigation but that goes more towards the Board of Zoning Appeals so they don't really discuss that at this time so there is nothing else.

EXECUTIVE DIRECTOR BUSINESS:

2020 Proposed Budget:

Mrs. Rector said she emailed them all the proposed 2020 budget and the only thing she did was ask for 3% increases in salary which is what the Council Office recommends to do and she didn't raise anything else.

The President stated the budget was sent out; were there any questions.

Amanda Mosiman made a motion to approve the budget as submitted. The motion was seconded by Jeff Willis and unanimously carried.

Being no other business Richard Reid made a motion to adjourn. The motion was seconded by Bill Byers and unanimously carried. Meeting adjourned at 6:55 pm.

ATTEST:

Sherri Rector, Executive Director

Guy Gentry, President